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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

MAXIMILIAN KLEIN, et al., on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 20-cv-08570-JD

The Hon. James Donato

CIVIL ACTION

**DECLARATION OF YAVAR
BATHAE REGARDING
COMPLIANCE WITH DKT. NO. 263**

1 Pursuant to 28 U.S.C. §1746, I, Yavar Bathaee, declare:

2 1. I am a partner at Bathaee Dunne LLP and am licensed in the State of California and
3 admitted to the United States District Court for the Northern District of California. I have personal
4 knowledge of the facts set forth herein and, if called as a witness, could and would testify
5 competently to them.

6 2. On March 18, 2022, the Court appointed Kristen Anderson of Scott+Scott
7 Attorneys at Law LLP and me as Interim Class Counsel for the Advertiser Class in the above-
8 captioned matter. Dkt. No. 43.

9 3. On February 23, 2022, Defendant Meta Platforms Inc. (“Meta”) moved to compel,
10 among other things, Advertiser Plaintiffs to respond to Interrogatory No. 1 of Meta’s First Set of
11 Interrogatories to Advertiser Plaintiffs concerning identification of participants in the Social
12 Advertising Market (“Interrogatory No. 1”). Dkt. No. 230.

13 4. On March 21, 2022, Advertiser and Consumer Plaintiffs jointly opposed Meta’s
14 motion to compel. Advertiser Plaintiffs opposed on the grounds that given the early stage of fact
15 discovery, Interrogatory No. 1 is a premature contention interrogatory that seeks information that
16 will be the subject of expert discovery. Dkt. No. 259.

17 5. On March 23, 2022, the Court ordered lead counsel for the parties to meet and
18 confer on a resolution to the issues briefed in Dkt Nos. 230 and 259. Further, the Court ordered
19 that unless lead counsel are more than 100 miles apart, a video access platform may be used and
20 that the conference shall be held for a minimum of four hours and may be terminated earlier only
21 if all disagreements have been resolved. Dkt. No. 263. This declaration is made pursuant to the
22 Court’s Order at Dkt. No. 263 requiring lead counsel for each of the parties to certify compliance
23 with that Order.

24 6. On April 8, 2022, lead counsel for the parties met and conferred regarding the
25 discovery disputes raised in Dkt Nos. 230 and 259 from 1:30 p.m. until 6 p.m. EST. Ms. Anderson
26 and I met with David Gringer, counsel for Meta, in person at the New York, New York office of
27 Wilmer Cutler Pickering Hale and Door, LLP. Other lead counsel, including Stephen A. Swedlow
28

1 of Quinn Emanuel Urquhart & Sullivan LLP, Shana A. Scarlett of Hagens Berman Sobol Shapiro
2 LLP, and Sonal Mehta of Wilmer Cutler Pickering Hale and Door, LLP, all located more than 100
3 miles outside of New York, New York, participated in the meet and confer via video access platform.

4 7. During the meet and confer, Meta and Advertiser Plaintiffs reached a resolution
5 regarding Interrogatory No. 1. Advertiser Plaintiffs agreed to supplement their response to identify
6 participants in the Social Advertising Market based on the information they have at present, subject
7 to any need to supplement later based on further discovery and analysis.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Dated: April 15, 2022

s/ Yavar Bathaee
Yavar Bathaee

CERTIFICATE OF SERVICE

I hereby certify that on April 15, 2022, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the e-mail addresses denoted on the Electronic Mail Notice List. All parties not so registered will be served via e-mail or U.S. Mail.

Executed on April 15, 2022, at New York, New York.

s/ Yavar Bathaee
Yavar Bathaee (CA 282388)